



**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

TIMOTHY TIMMONS,

Plaintiff,

v.

OFFICER MARTIN; UNIT MANAGER
ANDREW MCFARLANE; and MR. CLARK,

Defendants.

CIVIL ACTION NO.: 6:17-cv-116

ORDER

This Order is in response to Plaintiff's letter addressed to the Clerk of Court, dated March 4, 2020. Doc. 44. Plaintiff raises two issues in his letter: (1) the timeliness of his response to Defendants' motions to dismiss, and (2) the stay of discovery in this case pending resolution of those motions to dismiss. Id. As discussed below, Plaintiff's responses to Defendants' motions to dismiss are timely and will be considered in the ordinary course of business. Additionally, discovery in this case remains stayed pursuant to the Court's March 20, 2020 Order. Doc. 43.

On January 6, 2020, Defendants Martin and McFarlane filed a motion to dismiss. Doc. 21. Plaintiff filed a timely response to these Defendants' motion on January 27, 2020. Doc. 24. Defendant Clark filed a separate motion to dismiss which adopts the briefs of Defendants Martin and McFarlane. Doc. 34. Plaintiff filed two timely responses to Defendant Clark's motion to dismiss.¹ Docs. 38, 42. The Court will consider Plaintiff's timely responses, docs. 24, 38, and 42, in resolving Defendants' motions to dismiss.

¹ Plaintiff expresses some confusion in his letter regarding the deadline for his response to Defendant Clark's motion to dismiss and whether his response was timely. To eliminate any confusion or concern, Plaintiff's responses to Defendant Clark's motion to dismiss were submitted and received

On March 2, 2020, Defendants filed a motion to stay discovery, asking the Court to stay all discovery in this case pending a ruling on their motions to dismiss. Doc. 36. On March 20, 2020, the Court granted as unopposed Defendants' motion and stayed all discovery pending resolution of Defendants' motions to dismiss. Doc. 43. In his April 20, 2020 letter, Plaintiff states he mailed a timely response to Defendants' motion to stay. Doc. 44 at 1. However, the Court has no record of such a filing. The Court's March 20, 2020 Order staying all discovery deadlines in this case, doc. 43, remains in place. Discovery deadlines in this case will remain stayed pending the resolution of Defendants' motions to dismiss.

SO ORDERED, this 15th day of July, 2020.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is positioned above a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

within the applicable deadline and have not been rejected as untimely.